

17.100 POLICE RECORDS: STORAGE AND MAINTENANCE, AND INITIATING NEW RECORDS AND FORMS

Reference:

Ohio Revised Code § 149 – Ohio Public Records Act

Definitions:

A public record is a record held by a public office. A record is any item that is:

- Stored on a fixed medium (such as paper, computer, film, etc.),
- Created, received, or sent under the jurisdiction of a public office,
- Documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

Purpose:

Provide for initiating, safekeeping, and storage of Police Department records and the systematic disposal of those records.

Policy:

The Police Department will comply with all laws governing record retention, storage, and disposal.

Information:

The Police Department is entrusted, by the public, with the care, custody, and control of records generated by its activities. The Police Department is not the sole proprietor of the records it generates. The right of ownership resides with the public.

All of the records addressed in the Records Retention Schedule have been reviewed and the retention/destruction schedule for original records has been approved by the City of Cincinnati Records Commission, the Ohio Historical Society, and the State of Ohio Auditor's Office.

The Records Retention Schedule will be maintained on the Department Intranet.

Procedure:

- A. The bureaus, districts, sections, and units mentioned herein will maintain the records specified in the Records Retention Schedule for the minimum/maximum period as indicated.

1. At the discretion of bureau, district, section, and unit commanders, original records may be retained beyond maximum periods via a Form 17 request. The Form 17 must include extenuating circumstances surrounding the extension request and must be submitted at least two weeks prior to the destruction date. Other than these exigent circumstances, original records must be destroyed as soon as possible after the retention period has expired.
2. In October of each calendar year the Records Section Director will send a Form 17 requesting each district/section/unit which maintains any record to have those records inspected to determine if they are properly maintained according to the Records Retention Schedule.
 - a. If any record is scheduled to expire in the upcoming year, as indicated by its retention period, already expired, or is an unauthorized record or copy, the district/section/unit commander will forward a Form 17 to the appropriate bureau commander including:
 - 1) Type of record(s).
 - 2) Inclusive dates.
 - 3) Number of boxes to be destroyed.
 - 4) A request for proper disposal.
 - b. After review by the affected bureau commander, the request for disposal will be forwarded to the Records Section Director.
 - 1) The Records Section Director will approve/disapprove the request according to the Schedule of Record Retention and Destruction contained in the Records Retention Schedule and have any additional measures taken, if necessary, to comply with State Law and City Ordinances.
 - 2) After approval for destruction, the Records Section Director will arrange the date and time for proper destruction of the records with the involved unit.
3. If storage space is required in addition to the storage space in the unit facility, the location of such space will be determined by the Records Section Director.
 - a. A representative of the Records Section Director will inspect these additional storage facilities during October of each year.
 - 1) After inspection and notification by the Records Section, district/section/unit commanders will request disposal of their expired record(s) located in storage.

- b. All boxes must be clearly marked with the type of records, the year of the records and the name of the district/section/unit the records belong to.
- 4. Any bureau, district, section, or unit commander who desires to utilize any record or form not listed in the Records Retention Schedule must submit a prototype and a Form 17 through channels to the Police Chief.
 - a. Upon approval, the Planning Section will assign the form a number. The Records Section will then take the necessary steps to establish a retention schedule, and then the Information Technology Management Section will revise the Records Retention Schedule on the Intranet.
- 5. Any bureau, district, section, or unit commander who desires to discontinue the use of any form or record established by the Records Retention Schedule will so request via Form 17 through channels to the Police Chief.
- 6. Requests for disposal of any original or copy of any record not specifically listed in the Records Retention Schedule will also be documented on a Form 17.
 - a. The Records Section Director will then submit a request for destruction to the City Records Commission.
 - 1) Upon approval, the Records Section will advise the affected unit as to the proper method of destruction.
- 7. The Records Retention Schedule contains three separate columns of reports, records, files, etc., maintained within the Department.
 - a. The first column is a listing of all documents organized by the name of the document.
 - b. The second column indicates the minimum retention period for the original form or record.
 - c. The third column indicates the minimum retention period for copies of these forms or records.
 - 1) If the third column is marked "None", no copy is to be made or maintained by this unit.
 - d. If not listed, no original or copy is maintained by the Department.
 - e. Clarification - "Current year" and "Current month" refer to calendar year/month, respectively, that the report is dated. "Years" listed are calendar years.